

name of which is recognized in the National Formulary, an official compendium, and its strength differed from the official standard. The standard provides that isopropyl alcohol rubbing compound contains not less than 68 percent and not more than 72 percent of isopropyl alcohol by volume, whereas the article contained from 36.5 percent to 100 percent of isopropyl alcohol by volume.

Misbranding, Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label failed to bear an accurate statement of the proportion of alcohol contained therein.

DISPOSITION: April 14, 1953. Default decree of condemnation and destruction.

4075. Adulteration and misbranding of clinical thermometers. U. S. v. 408 Thermometers * * *. (F. D. C. No. 34392. Sample No. 40625-L.)

LIBEL FILED: December 11, 1952, Western District of Washington.

ALLEGED SHIPMENT: On or about October 10, 1952, by the Dependable Thermometer Co., from New York, N. Y.

PRODUCT: 408 *clinical thermometers* at Seattle, Wash. Examination of 24 thermometers showed that 4 failed to meet the test for accuracy, that 2 failed to meet the test for retreating index, and that 1 was a hard shaker.

LABEL, IN PART: "Dependable Oral."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported and was represented to possess.

Misbranding, Section 502 (a), the following statements in the labeling of the article were false and misleading as applied to the article, which failed to meet the tests laid down in Commercial Standard CS1-52, issued by the United States Department of Commerce, for accuracy, retreating index, and hard shaker: (Brown envelope in which each thermometer is packaged) "Certificate and Guarantee of Accuracy and Reliability * * * Oral This Registering Clinical Thermometer was tested and examined on the above date and was found to meet all of the requirements and tests specified in Commercial Standard CS1-52, developed by the trade under the procedure of the Commodity Standards Division and issued by the United States Department of Commerce."

DISPOSITION: May 18, 1953. Default decree of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS*

4076. Misbranding of Duodex capsules. U. S. v. 36 Dozen Bottles, etc. (F. D. C. No. 33291. Sample No. 38740-L.)

LIBEL FILED: June 9, 1952, District of Columbia; libel amended June 4, 1953.

ALLEGED SHIPMENT: On or about June 2, 1952, by Harris Laboratories, Inc., from Glen Cove, N. Y.

PRODUCT: *Duodex capsules*. 36 dozen bottles, each containing 100 capsules, and 60 dozen bottles, each containing 50 capsules, at Washington, D. C., together with a number of leaflets entitled "Duodex The New Effective Treatment For Peptic and Duodenal Ulcer Sufferers," "At Last A Cure For Ulcers," and "The New Ulcer Story," a number of window streamers entitled "Come In For Free Booklet," and a number of display placards entitled "Stomach Ulcer Pains."

*See also Nos. 4069, 4072, 4073, 4075